

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

MEN'S NECKWEAR INDUSTRY

AS APPROVED ON JUNE 13, 1934




UNITED STATES
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Approved Code No. 363—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

MEN'S NECKWEAR INDUSTRY

As Approved on June 13, 1934

ORDER

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MEN'S NECKWEAR INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment for the Code of Fair Competition for the Men's Neckwear Industry, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto; having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

SOL A. ROSENBLATT,
Division Administrator.

WASHINGTON, D.C.,
June 13, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Public Hearing on a proposed amendment to the Code of Fair Competition for the Men's Neckwear Industry was conducted on Thursday, May 10th in Room 109 of the Raleigh Hotel, Washington, D.C. Present at the hearing were members and duly authorized representatives of the Men's Neckwear Code Authority, as well as representatives of individual members of the Men's Neckwear Industry who had requested opportunity to be heard on the proposed amendment. All those present were fairly heard in accordance with the usual requirements of the National Recovery Administration and were questioned by the Deputy Administrator and his advisors.

The Code for the Men's Neckwear Industry as approved on March 24, 1934, did not contain a provision requiring that a special N.R.A. label be attached to the products of the Industry as the majority of other Codes in the Apparel Trades have required.

The Code Authority for the Men's Neckwear Industry on April 14th recommended to the Administrator that the Men's Neckwear Code be amended to require that a special N.R.A. label be attached to all products manufactured subject to the jurisdiction of the Men's Neckwear Code.

Briefly stated, this amendment provides that the special N.R.A. label, which is to be issued exclusively by the Code Authority, shall symbolize to purchasers of men's neckwear, the conditions under which such merchandise is manufactured. Subject to the approval of the Administrator, the Code Authority is empowered to establish rules and regulations and appropriate machinery for the issuance of labels and for the inspection, examination and supervision of the practices of employers using such labels.

Each label is to bear a registration number which will enable the Code Authority to identify the source of manufacture of all products of the Industry. The charge made by the Code Authority for such labels is made subject to the supervision and rules and regulations of the Administrator.

According to the testimony presented at the Public Hearing by the representatives of the Code Authority, the use of a special Code Authority label is the most effective means known of securing compliance with the provisions of the Codes of Fair Competition in the Apparel Manufacturing Trades. Not only does the use of the label and the issuance thereof by the Code Authority serve as a means of bringing the existence and location of all members of the Industry to the attention of the Code Authority; the use of the label also serves as the basis of obtaining valuable information from all members of the industry, with respect to compliance with labor and trade practice provisions of the Code.

The Deputy Administrator in his final report to me on this amendment to said Code, having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The amendment to said Code and the Code as amended is well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate government sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation subsection (a) of Section 3, subsection (a) of Section 7 and subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendments on behalf of the Industry as a whole.

(d) The amendments and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, this amendment has been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JUNE 13, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MEN'S NECKWEAR INDUSTRY

The following shall be added as Article XI to the Code:

ARTICLE XI—LABELS

1. In accordance with the provisions of this Article all products made in the Industry as defined in paragraph 1 of Article I of the Code shall bear an N.R.A. label to symbolize to purchasers of said products the conditions under which they were manufactured. The Code Authority shall have the exclusive right to issue and furnish said labels to the members of the Industry.

The Code Authority, subject to the approval of the Administrator and in accordance with such regulations as he may from time to time issue, shall establish rules and regulations governing the appropriate machinery for the issuance of labels and for the inspection, examination and supervision of the practices of employers using such labels.

2. Each label shall bear a registration number, (serial or otherwise, as the Code Authority may determine), especially assigned to each employer, which shall be sewn to the product and remain attached thereto when sold, shipped or distributed by any member of the Industry. Any member of the Industry may apply to the Code Authority for a permit to use such N.R.A. labels, which permit shall be granted only when the application for use thereof shall be accompanied by a certificate of compliance with this Code signed by the applicant in such manner and form as shall be determined by the rules and regulations of the Code Authority approved by the Administrator. Said permit shall continue in force only so long as the recipient shall comply with the Code and the rules and regulations of the Administrator and of the Code Authority relating to labels.

3. All products made prior to the effective date of the rules and regulations of the Code Authority relating to the issuance and use of labels and in the stock of any member of the industry on the effective date of this Article, may have securely attached to the box, cover, package, container or other wrapping of said products a sticker or label in such form as may be determined by the Code Authority in its rules and regulations.

4. The charge made by the Code Authority for labels shall at all times be subject to the supervision and rules and regulations of the Administrator and shall be not more than an amount necessary to cover the cost of said labels, including printing and distribution, and the reasonable cost of the administration and supervision of the use thereof as hereinbefore set forth. The cost of stickers shall at no time exceed the actual cost thereof to the Code Authority plus the cost of distribution to members of the Industry.

5. The rules and regulations set up by the Code Authority pursuant to this Article shall become binding upon all members of the industry when approved by the Administrator and violation thereof shall be deemed a violation of the Code of Fair Competition for this Industry.

6. This Article shall become effective thirty (30) days after approval."

Approved Code No. 363—Amendment No. 1.
Registry No. 248-1-02.



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